



Department of Justice

**United States Attorney Richard S. Hartunian
Northern District of New York**

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Borden Sentenced for Telemarketing Fraud

Albany, New York – Richard S. Hartunian, United States Attorney for the Northern District of New York, Rene Febles, Special Agent in Charge of the Office of Inspector General, U.S. Department of Housing and Urban Development in New York, John F. Pikus, Special Agent in Charge of the Albany Division of the Federal Bureau of Investigation, and Lt. John D. Durling of the New York State Police Special Investigations Unit announced that a third defendant pled guilty yesterday afternoon before United States District Judge Thomas J. McAvoy in Albany in the bank fraud scheme involving Michael Cassadei and others.

Mary J. Fox Ianniello, age 46, now of Los Angeles, California, pled guilty yesterday to her role in the scheme in which Cassadei and others used fraudulent loan applications, appraisals, settlement statements, and other false statements and documents to induce the former First Union National Bank of Delaware to finance the sale of Capital Region residential properties to third parties in amounts well in excess of their actual value, with the participants in the scheme using the proceeds from the loans to purchase the properties in much lower amounts and retaining the bulk of the funds for themselves. Ianniello admitted in Court yesterday that she engaged in various acts in furtherance of the scheme, including submitting false loan applications, executing false settlement

statements and other documents, and assisting in the distribution of the loan proceeds.

On February 17, 2010, Cassadei and appraiser Elmer J. "Joe" McIndoo pled guilty to involvement in the same scheme. All three defendants face sentences of up to thirty (30) years imprisonment, a fine of up to \$1 million, or both, a period of up to five years supervised release to follow any term of imprisonment, and mandatory restitution and forfeiture of assets totaling approximately \$135,148.45, subject to any apportionment by the Court. Based upon the estimates presented by the government in Court last week and yesterday, Cassadei's advisory sentencing guidelines range was approximately 41 to 51 months imprisonment, and the range for both Ianniello and McIndoo is up to approximately 27 to 33 months. Ianniello's sentencing was set for July 13, 2010, at 1:00 p.m., before Judge McAvoy in Albany.

The ongoing investigation in this matter is being conducted by the Office of the Inspector General of the United States Department of Housing and Urban Development, the Albany Division of the Federal Bureau of Investigation and the New York State Police Special Investigations Unit, with the assistance of the Internal Revenue Service, Criminal Investigation Division, the United States Postal Inspection Service, and the New York State Banking Commission. It is being prosecuted by the United States Attorney's Office for the Northern District of New York.

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